

*Application No. 10/579,196
Amendment dated June 21, 2010
Reply to Office Action of December 21, 2009*

*Docket No. 1817-0171PUS1
Art Unit: 1784
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AMENDMENTS TO THE DRAWINGS

Three Sheets of Replacement Drawings (FIGS. 1-6) are attached at the end of this paper.

REMARKS

The Applicants thank the Examiner for the thorough consideration given the present application. Claims 1-18 were previously cancelled. Claims 20-22 are cancelled without prejudice to or disclaimer of the subject matter therein, Claims 19 and 23-39 are pending, of which claims 38 and 39 are withdrawn. Claims 19 and 23-37 are amended. Claims 19 and 37-39 are independent. The Examiner is respectfully requested to reconsider the rejections in view of the amendments and remarks set forth herein.

Examiner Interview

If, during further examination of the present application, any further discussion with the Applicants' Representative would advance the prosecution of the present application, the Examiner is encouraged to contact Carl T. Thomsen, at 1-703-208-4030 (direct line) at his convenience.

Drawings

In response to the objection to the drawings, three Sheets of Replacement Drawings (FIGS. 1-6) are attached at the end of this paper. No new matter has been added. Reconsideration and withdrawal of this objection are respectfully requested.

Claim for Priority

It is gratefully appreciated that the Examiner has acknowledged the Applicants' claim for foreign priority.

Information Disclosure Citation

The Applicants thank the Examiner for considering the reference supplied with the Information Disclosure Statement filed May 12, 2006 and October 10, 2007, and for providing the Applicants with an initialed copy of the PTO/SB/08 form filed therewith.

Restriction Requirement

The Examiner has made the Restriction Requirement final, and has withdrawn claims 38 and 39 from further consideration. The Applicants reserve the right to file a divisional application directed to claims 38-39 at a later date if so desired.

Rejection Under 35 U.S.C. § 112, second paragraph

Claims 19 and 37 stand rejected under 35 U.S.C. § 112, second paragraph. This rejection is respectfully traversed.

The Examiner has set forth certain instances wherein the claim language is not clearly understood.

In order to overcome this rejection, the Applicants have amended claims 19 and 37 to correct each of the deficiencies specifically pointed out by the Examiner. The Applicants respectfully submit that the claims, as amended, particularly point out and distinctly claim the subject matter which the Applicants regard as the invention. Accordingly, reconsideration and withdrawal of this rejection are respectfully requested.

Rejections Under 35 U.S.C. §102(e), 102(b) and 103(a)

Claims 19, 20, 22, 23, 27, 28, and 35 stand rejected under 35 U.S.C. §102(e) as being anticipated by or, in the alternative, under 35 U.S.C. 103(a) as being unpatentable over Crye et al. (U.S. 6,892,392);

Claims 19, 20, 22-28, and 33-36 stand rejected under 35 U.S.C. §102(b) as being anticipated by or, in the alternative, under 35 U.S.C. 103(a) as being unpatentable over DE 20309794);

Claims 31 and 32 stand rejected under 35 U.S.C. 103(a) as being unpatentable over DE 20309794 in view of Landvik et al. (U.S. 6,159,574);

Claims 19, 20, 22-28 and 31-36 stand rejected under 35 U.S.C. 103(a) as being unpatentable over GB 2 353 048 in view of Landvik et al.; and

Claims 19-31 and 34-37 stand rejected under 35 U.S.C. 103(a) as being unpatentable over Hedley (U.S. 2006/0188689) in view of GB 2 138 012.

These rejections are respectfully traversed.

Amendments to Independent Claims 19 and 37

While not conceding the appropriateness of the Examiner's rejection, but merely to advance prosecution of the present application, each of independent claims 19 and 37 has been amended herein to recite a combination of elements directed to a laminated body contact support element, including *inter alia*

"the maximum stretch of the outer layer of the spaced knitted fabric material being less than the breaking stretch of the underlying viscoelastic foam layer material."

None of Crye et al., GB 2 353 048, DE 20309794, Hedley, and GB 2 138 012, whether taken alone or in combination, teaches or suggests this feature. While the Examiner has suggested that the spacer fabric in the prior art is the same as that provided by the present invention, there is certainly nothing in the disclosures of these documents which supports this view. There are many types of spacer fabric available with a wide range of technical properties. The relative stretching properties of the spacer fabric and the viscoelastic layers is not addressed in any of the prior art documents. This feature of the present invention overcomes the problems mentioned in the discussion of the background art of the patent specification of the present invention.

The Landvik et al. reference was cited merely to disclose polyurethane foam layers 5 and 6, and an outer covering. As such, Lanvik et al. cannot make up for the deficiencies of GB 2 353 048 and DE 20309794.

At least for the reasons explained above, the Applicants respectfully submit that the combination of elements as set forth in each of **independent claims 19 and 37** is not disclosed or made obvious by the prior art of record, including Crye et al., GB 2 353 048, Landvik et al., DE 203 09 794, Hedley, and GB 2 138 012, whether taken alone or in combination.

Therefore, **independent claims 19 and 37** are in condition for allowance.

Dependent Claims

The Examiner will note that dependent claims 20-22 have been cancelled and dependent claims 23-36 have been amended to place them in better form.

All dependent claims are in condition for allowance due to their dependency from allowable independent claims, or due to the additional novel features set forth therein.

All pending claims are now in condition for allowance.

Accordingly, reconsideration and withdrawal of the rejections under 35 U.S.C. §102(e), 102(b), and 103(a) are respectfully requested.

CONCLUSION

Since the remaining patents cited by the Examiner have not been utilized to reject claims, but merely to show the state of the art, no comment need be made with respect thereto.

All of the stated grounds of rejection have been properly traversed, accommodated, or rendered moot. It is believed that a full and complete response has been made to the outstanding Office Action, and that the present application is in condition for allowance.

If the Examiner believes, for any reason, that personal communication will expedite prosecution of this application, he is invited to telephone Carl T. Thomsen (Reg. No. 50,786) at (703) 208-4030(direct line).

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. §§1.16 or 1.17, particularly extension of time fees.

Respectfully submitted,

Date: June 21, 2010

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Attachments: Three Sheets of Replacement Drawings (FIGS. 1-6)